

**BE IT REMEMBERED** that the Board of Supervisors of Clay County, Mississippi, met at the Courthouse in West Point, Mississippi, on the 8th day of August, 2013, at 9 00 o'clock A M and present were Lynn Horton, Luke Lummus, Shelton Deanes, President, and Floyd McKee Also, present were Amy G Berry, Clerk of the Board, Bob Marshall, Board Attorney, and Eddie Scott, Sheriff, when and where the following proceedings were had and determined, to-wit

NO \_\_\_\_\_

**IN THE MATTER OF ADOPTING AND AMENDING THE AGENDA FOR THE  
BOARD OF SUPERVISORS MEETING HELD ON AUGUST 8, 2013**

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There came on this day for consideration the matter of adopting and amending the agenda for the Board of Supervisors meeting held on August 8, 2013

After motion by Luke Lummus and second by Floyd McKee this Board doth vote unanimously for the agenda to be adopted as presented

SO ORDERED, this the 8th day of August, 2013



President

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0225

**INTENTIONALLY**

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**PROGRAM, AGREEMENT AND PROJECT ORDER FOR INSPECTION OF  
DESIGNATED BRIDGES IN CLAY COUNTY, MISSISSIPPI  
FOR THE FISCAL YEAR OF 2014**

Pursuant to the provisions of governing State and Federal Laws and Regulations, We, the Board of Supervisors of Clay County, Mississippi, hereinafter referred to as the Board, hereby order that the proposed project listed hereon constitute the Bridge Inspection Program for Clay County, subject to the approval of the State Aid Engineer and Concurrence by the Executive Director of the Mississippi Department of Transportation

In support of this order, the Board certifies and agrees that

- 1 All designated bridges affected by this project are on roads under local jurisdiction (County or City) and are to be inspected, inventoried and evaluated in accordance with the National Bridge Inspection Standards (23 CFR 650 C) hereinafter referred to as the NBIS
- 2 Bridges with Unknown Foundations that have been identified as High or Moderate Risk or those with a Scour rating (Item 113) of three (3) or less, and are not scheduled for this inspection cycle will have a Scour Monitoring Inspection updating the Scour / Waterway Appraisal form and the stream profile in the bridge system
- 3 The Board has employed a Registered Professional Engineer as County Engineer, who will provide such other qualified technical personnel to properly supervise and perform the required work in compliance with the rules and regulations of the NBIS and any additional instructions/guidance provided by the State Aid Engineer
- 4 The County Engineer will provide at least one team leader, who meets the minimum qualifications stated in § 650 309 of the NBIS, at the bridge at all times during the inspection as in accordance with required § 650 313 of the NBIS
- 5 The supervision of all phases of the inspection, inventory and evaluation will be the responsibility of the Board, acting through its County Engineer
- 6 A bridge scour plan of action will be prepared, or revised for the scour critical bridges and all bridges identified as scour critical and will be monitored in accordance with the plan and regulations set forth in Section 650 313 of the NBIS and the Bridge Inspection Manual prepared by the Office of State Aid Road Construction The Board designates  
District 1 - Lynn Horton as its representative to make scour stability  
District 2 - Luke Lummas, District 3 - R B Davis  
District 4 - Shelton Deanes, and District 5 - Floyd McKee

assessment(s) in response to conditions that require an inspection as set forth in the scour plan of action for each scour critical structure. The representative's address and phone number is Clay County Court House, P O Box 815, West Point, MS 1-662-494-3313. If the assessment results in closure of the bridge, the representative shall take action to close the bridge in accordance with the bridge scour plan of action. If a bridge has been closed or the Board chooses to cause an inspection to be made, a certified bridge inspection team will be required to perform the inspection. The representative will contact the County Engineer to request such an inspection. The cost of the inspection of a scour critical bridge following a bridge closure shall be the responsibility of the Board.

- 7 The County Engineer will maintain a bridge file on behalf of the County for each bridge in accordance with the regulations set forth in § 650 313 (d) of the NBIS. Bridge files shall remain the property of the Board.
- 8 The County Engineer will provide a Quality Control Manager (QC Manager) as set forth in the National Bridge Inspection Local System Manual, Section 16 Quality Control Program. The QC Manager shall meet or exceed the requirements of subsection 4.4 of the National Bridge Inspection Local System Manual.
- 9 The number of bridges selected for evaluation and a follow-up on site inspection by the QC manager will be 5% of the county inventory or a minimum of 5 bridges.
- 10 All components of the bridge file will be made available to authorized representatives of State Aid and/or FHWA for inspection and review at all reasonable times in the General Offices of the County Engineer.
- 11 After final completion of the work and acceptance by the State Aid Engineer, the Board will be paid on the basis of the final quantities at the agreed unit prices specified below.
- 12 The inspection shall be completed on or before February 1, 2014.

Project Number BR-NBIS(079)B, BRIS-13(79)  
 Road Designation All Locally - Maintained Roads "ON" and "OFF" Federal-Aid Highways  
 Character of Work Inspection Inventory and Evaluation of Designated Bridges

**Estimated Project Cost**

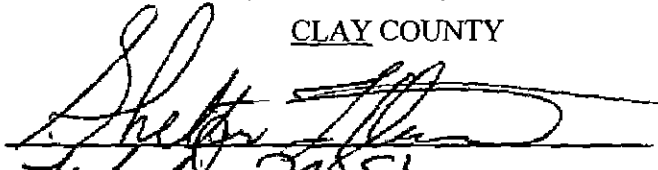




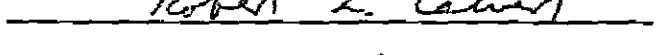
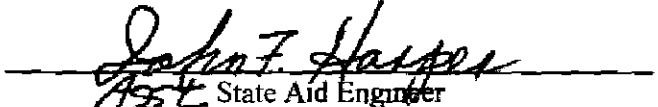
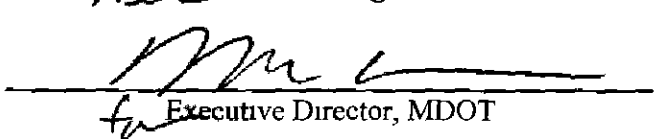
<b>Bridge Inspections</b>				
A	<u>56</u>	Bridges	@ \$350 00 per bridge	\$ <u>19,600 00</u>
<b>QC Inspections</b>				
B	<u>5</u>	Bridges	@ \$350 00 per bridge	\$ <u>1,750 00</u>
<b>Scour Monitoring Inspections</b>				
C	<u>6</u>	Bridges	@ \$120 00 per bridge	\$ <u>720 00</u>
D	Subtotal all Inspections			\$ <u>22,070 00</u>
E	Contingencies @ Approximately (2%)			\$ <u>440 00</u>
F	Total Estimated Cost.			\$ <u>22,510 00</u>
G	Federal Bridge Replacement Funds Requested (80%)			\$ <u>18,008 00</u>
H	Federal Off-System Bridge Credit Requested (20%)			\$ <u>4,502 00</u>

12 Based upon the estimated quantities of work and agreed unit cost and in support of the herein listed program, we, the Board for Clay County desire to, and hereby adopt the following Order for Project Funds for Clay County Project Number BRIS-13(79)

IT IS THEREFORE, NOW ORDERED by this Board that the total Project Fund for BRIS-13(79) in the amount of \$22,510.00, be established by transferring \$4,502.00 from Clay County's Federal Off System Bridge Program Credit Fund to the Project Fund, to match \$18,008.00 of Bridge Replacement Funds now available for this project

IN WITNESS WHEREFORE, The parties have hereunto affixed their signatures, the Board on the 8<sup>th</sup> day of August, 2013 and the State Aid Engineer on the 9 day of August, 2013

BOARD OF SUPERVISORS  
CLAY COUNTY

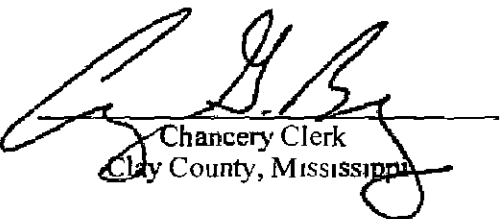
  
\_\_\_\_\_  
President  
  
\_\_\_\_\_  
Member  
  
\_\_\_\_\_  
Member  
  
\_\_\_\_\_  
Member  
  
\_\_\_\_\_  
Member  
  
\_\_\_\_\_  
Robert L. Albert  
County Engineer  
  
\_\_\_\_\_  
State Aid Engineer  
  
\_\_\_\_\_  
Executive Director, MDOT

STATE OF MISSISSIPPI  
COUNTY OF CLAY

This is to certify that the foregoing is a true and correct copy of an order passed by the Board of Supervisors of Clay County Mississippi, entered into the minutes of the said Board of Supervisors, Minute Book No 140 Page No \_\_\_\_\_ same having been adopted at a meeting of said Board of Supervisors on the 8<sup>th</sup> day of August, 2013

(SEAL)

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\_\_\_\_\_  
Chancery Clerk  
Clay County, Mississippi

**OFFICE OF  
STATE AID ROAD CONSTRUCTION**  
MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
P O BOX 1850  
JACKSON MISSISSIPPI 39215-1850

H Carey Webb P E  
State Aid Engineer  
Telephone (601) 359 7150  
Fax (601) 359-7141  
www.msstateaidroads.us

412 E Woodrow Wilson Avenue  
Room 139  
Jackson Mississippi 39216  
mail@osarc.state.ms.us

August 14, 2013

Board of Supervisors  
Clay County  
P O Box 815  
West Point, MS 39773-0815

Gentlemen

RE FY-2014 BRIDGE INSPECTION  
BR-NBIS(079)B, BRIS-13(79)  
CLAY COUNTY

This is to advise you that the program for the referenced projects has been approved (**See attached**)

Should you have any questions concerning this action or desire further information, do not hesitate to contact this office

Yours very truly,

H Carey Webb, P E  
State Aid Engineer



By C David Barrett  
NBI Program Manager

CDB

Attachment

pc Mr Robert L Calvert, P E , County Engineer (w/ attachment)  
Mr Jack Jackson, P E , District Engineer  
Project File

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OFFICE OF  
STATE AID ROAD CONSTRUCTION  
MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
P O BOX 1850  
JACKSON MISSISSIPPI 39215-1850

H Carey Webb P E  
State Aid Engineer  
Telephone (601) 359 7150  
Fax (601) 359-7141  
www.msstateaidroads.us

412 E. Woodrow Wilson Avenue  
Room 139  
Jackson Mississippi 39216  
mail@asarc.state.ms.us

August 14, 2013

Mr Robert L Calvert, P E  
P O Drawer 1078  
West Point, MS 39773

RE FY-2014 BRIDGE INSPECTION  
BR-NBIS(079)B, BRIS-13(79)  
CLAY COUNTY

Dear Mr Calvert

As of the date of this letter, you are hereby authorized to proceed with the inspection of all designated bridges under local jurisdiction as per the approved program, agreement and project order for the referenced project numbers in Clay County

The completion of all required items is on or before **February 1, 2014** If you have any questions or need further assistance please call

Yours very truly

H Carey Webb, P E  
State Aid Engineer



By C David Barrett  
NBI Program Manager

CDB

pc Board of Supervisors  
Mr Jack Jackson, P E , District Engineer  
Project File

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NO \_\_\_\_\_

**IN THE MATTER OF APPROVING AND AUTHORIZING THE REAL PROPERTY  
CHANGE FORM**

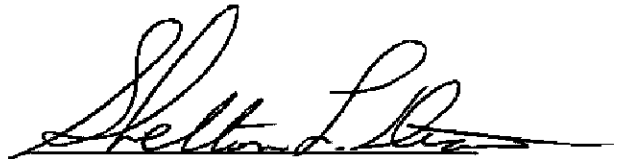
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There came on this day for consideration the matter of approving and authorizing the real property change form.

It appears as attached hereto as Exhibit A is a Real Property Change form the Tax Assessor/Collector is requesting this Board's approval to void a receipt inadvertently issued and to make the correct change to the property listed under Four County EPA, parcel no 091A 20A 0140100

After motion by Luke Lummus and second by Floyd McKee this Board doth vote unanimously to approve the said change Real Property Change as attached hereto as Exhibit A and authorize the Tax Assessor/Collector to void the receipt issued in error

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President



NO \_\_\_\_\_

**IN THE MATTER OF VOIDING THE OUTSTANDING CHECKS ON THE CIRCUIT  
CLERK CRIMINAL CLEARING ACCOUNT AT CADENCE BANK**

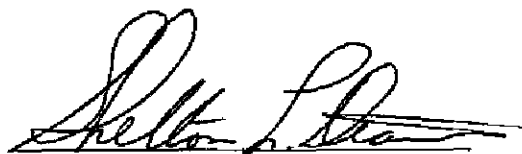
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There came on this day for consideration the matter of voiding the outstanding checks on the Circuit Court Criminal Clearing account at Cadence Bank

It appears to this Board Cadence Bank is no longer the primary county depository and the Circuit Clerk is wanting to close the Criminal Clearing account at Cadence Bank and there are still outstanding checks on the said account as attached hereto as Exhibit A that the Circuit Clerk is requesting this Board's approval to void.

After motion by Lynn Horton and second by Floyd McKee this Board doth vote unanimously to void the checks issued on the Circuit Court Criminal Clearing Account as attached hereto as Exhibit A which were issued on Cadence Bank

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

Outstanding Restitution Checks  
*closing of CADENCE BANK*

CK#	Name	Amount
1022	Joseph Rutman	\$250 00
1046	Joseph Rutman	\$100 00
1164	WPPD	\$250 00
1253	Preston L Hamby	\$ 50
1264	Dollar Tree	\$250 00
	Interest left in account to settle	\$ 34
	Total	\$850 84

*Sent to County*

NO \_\_\_\_\_

**IN THE MATTER OF AUTHORIZING THE CIRCUIT CLERK TO REISSUE A  
CHECK VOIDED ON THE CIRCUIT COURT CRIMINAL CLEARING ACCOUNT TO  
THE WEST POINT POLICE DEPARTMENT**

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There came on this day for consideration the matter of authorizing the Circuit Clerk to reissue a check voided on the Circuit Court Criminal Clearing account to the West Point Police Department

It appears to this Board the Circuit Clerk requested this Board to authorize to void certain checks still outstanding on the Circuit Court Criminal Clearing Account at Cadence Bank which is no longer the County designated depository, and,

It appears to this Board the Circuit Clerk is requesting approval to re-issue check no 1064 to the West Point Police Department, but to issue the check on the Circuit Court Criminal Clearing account at Renasant Bank in the amount of \$250 for Restitution

After motion by Lynn Horton and second by Luke Lummus this Board doth vote unanimously to authorize the Chancery Clerk to reissue a check to the Circuit Clerk to then reissue a check from the Circuit Court Criminal Clearing Account at Renasant Bank to the West Point Police Department in the amount of \$250 00 for restitution

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

NO \_\_\_\_\_

**IN THE MATTER OF AUTHORIZING TRAVEL**


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There came on this day for consideration the matter of authorizing travel

It appears to this Board Judge Thomas Hampton Justice Court Judge is requesting authority to travel to Tunica MS October 1-2, 2013 to attend the Professional Development Course as provided by the MS Judicial College and that registration fee, meals, mileage, and lodging would not be reimbursed by the Judicial College but would need to be paid by the County

After motion by Lynn Horton and second by Floyd McKee this Board doth vote unanimously to authorize the said travel as outlined above

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

**Fall Conference  
Professional Judicial Development**

**REVIEW COURSE:  
THE MISSISSIPPI RULES OF EVIDENCE**

*This review will focus exclusively on the Mississippi Rules of Evidence. Our featured speakers will be Hon. Kent McDaniel, Rankin County Court Judge, and Dean Jim Rosenblatt from Mississippi College School of Law. They will be covering all of the evidentiary rules but with a special emphasis on those applicable to justice court. MJC encourages all of you to register and attend this important session.*

**Harrah's  
Veranda Hotel & Convention Center  
Tunica, Mississippi**

**October 1-2, 2013**



*Quality Continuing Judicial Education  
for Mississippi's Courts*

*Conducted by the Mississippi Judicial College*

## 2013 FALL PJD INFORMATION

**PRE-REGISTRATION:** Pre-registration and payment of the registration fee is required for all PJD programs conducted by MJC. Please complete the registration form in this brochure, and return it to the Judicial College as soon as you receive your packet so that we can confirm your receipt and give you sufficient time to make your reservations.

**INVOICE:** Pre-payment of the registration fee is required to attend this program. Either send your personal check along with your registration form, or complete the enclosed invoice and forward to your county board of supervisors for payment.

**REGISTRATION:** Registration for the fall PJD program will be on Tuesday, October 1st from 1:30-2.00 p.m. in the lobby of the Convention Center.

**PROGRAM:** The fall PJD program will provide six (6) PJD hours. Please refer to the fall conference agenda. These hours **CANNOT** be substituted for your required 24 hours of annual training. PJD programs will be conducted each year at the spring conference, the summer convention, and the fall conference. There are no video make-ups of PJD programs.

**LODGING:** If you plan to attend this optional program, you may need to make an additional night's reservation at the Veranda Hotel for Tuesday night. The rate is \$55.

Please Note            Daily Check-in Time    3 00 p m  
                                 Daily Check-out Time   11 30 a m

**TRAVEL AND MEAL REIMBURSEMENT:** There are no expenses reimbursed by MJC for the PJD portion of the conference.



# 2013 FALL PJD INVOICE



TO Clay  
County Board of Supervisors

FROM Thomas Hampton  
Justice Court Judge

DATE 8-5-13

RE **2013 Fall Professional Judicial Development  
Review Course MS Rules of Evidence**  
Harrah's Tunica  
October 1-2, 2013

Submit this completed invoice to your county board of supervisors for payment, or attach your personal check and send to the Mississippi Judicial College by Thursday, August 30, 2013

Registration Fee for 6 PJD Hours \$ 125

Lodging for night of Tuesday, October 1, 2013 \$ 55  
*(PJD Review Course Attendee)*

Total Due MJC \$ \_\_\_\_\_

Please make checks payable to the *University of Mississippi - MJC* and remit to the attention of



**Ramey Smith**  
Program Coordinator  
Mississippi Judicial College  
Post Office Box 8850  
University, MS 38677  
662-915-5955 (Phone)  
[rameys@olemiss.edu](mailto:rameys@olemiss.edu) (E-mail)

Judges will be making their own reservations for the spring conference and will not receive reimbursement from MJC for this optional portion of the program. However, MJC will cover the eligible judge's room rates for Wednesday and Thursday nights

Please attach a copy of this invoice to the check when mailed *Thank you*

**TO SPREAD ON THE MINUTES THE FINAL APPROVED INTERLOCAL AGREEMENT AS APPROVED BY THE MS ATTORNEY GENERAL FOR THE ORTHO/AERIAL PHOTOGRAPHY POOLING AMONG CERTAIN COUNTIES**

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There came on this day for consideration the matter of spreading on the minutes the final approved interlocal agreement as approved by the MS Attorney General for the Ortho/Aerial Photography pooling among certain counties

After motion by Lynn Horton and second by Floyd McKee this Board doth vote unanimously to spread on the minutes the final approved interlocal agreement as attached hereto as Exhibit A as approved by the MS Attorney General for the ortho/aerial photography pooling among certain counties

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

Your approved interlocal agreement for the Northeast Mississippi Orthophotography Project is enclosed

Please be sure to file the agreement with your Chancery Clerk and enter into the minutes at your next Board meeting

You do not have to file a copy with the Secretary of State I will handle that filing for you.

Best regards,

Blake



JIM HOOD  
ATTORNEY GENERAL

OPINIONS  
DIVISION

July 31, 2013

Mr Blake Wallace, Executive Director  
Hinds County Development Authority  
Post Office Box 248  
Jackson, Mississippi 39205

**Re *Interlocal Agreement between twenty counties for ariel photography and survey***

Dear Mr Wallace

Attorney General Hood has received your request to review the above referenced Interlocal Agreement and has referred it to me for research and reply. As required by Miss Code Ann Section 17-13-11 (1972), all interlocal agreements must be approved by the Attorney General before they may go into effect. This Agreement involves the following participating counties to collectively bid for and receive ariel photography and survey services: Carroll, Chickasaw, Choctaw, Clay, Grenada, Humpreys, Kemper, Lafayette, Lauderdale, Lee, Lowndes, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Pontotoc, Tallahatchie, Webster and Winston.

We have examined the Agreement pursuant to the Interlocal Cooperation Act of 1974, Miss Code Ann Section 17-13-1 *et seq* (1972), and find that the Agreement is in proper form and compatible with state law and is hereby approved. We should note that the agreement must be signed by all twenty participating governing authorities and must have been approved by resolution on the minutes of the governing authorities who are parties to the agreement. With respect to the effect of the agreement on successor boards as it relates to the duration of the agreement, this office has consistently opined that contracts or agreements extending beyond the term of the current governing body are voidable by the succeeding board.

Prior to becoming effective, the Agreement must, in addition to receiving the approval of this office, be filed with the Chancery Clerk of all twenty counties and with the Secretary of State. Finally, please note that any additional governing authorities later seeking to join

Mr Blake Wallace, Executive Director  
July 31, 2013  
Page -2-

the interlocal agreement must send its approval by resolution on the minutes of the governing authority with an attachment of the original Agreement for approval by this office

If you have any questions or if we can be of any assistance to you, please do not hesitate to call

Sincerely,



Avery Mounger Lee  
Special Assistant Attorney General

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# Northeast Mississippi Aerial Photography Update Initiative 2013-2014 Interlocal Agreement

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State of Mississippi

County of Carroll  
County of Chickasaw  
County of Choctaw  
County of Clay  
County of Grenada  
County of Humphreys  
County of Kemper  
County of Lafayette  
County of Lauderdale  
County of Lee  
County of Lowndes  
County of Monroe  
County of Montgomery  
County of Neshoba  
County of Noxubee  
County of Oktibbeha  
County of Pontotoc  
County of Tallahatchie  
County of Webster  
County of Winston

## **Interlocal Cooperation Agreement**

This agreement is made among the Board of Supervisors, of the respective counties as set forth hereinafter, pursuant to the Interlocal Cooperation Act of 1974, Section 17-13-3 et seq , Mississippi Code of 1972, as amended

As the purpose of this Interlocal Agreement is to collectively seek and procure services to conduct Aerial Photography and Survey of the (twenty (20) named counties

as directed under section 27-35-101 Mississippi Code 1972 as required for compliance with section 27-35-113 Mississippi Code 1972 at a substantially reduced cost to the Tax Payers

### I Title

This joint agreement between the aforementioned cooperative counties shall be known as Northeast Mississippi Aerial Photography Update Initiative (NEMSAPU)

### II Statutory Authority

Counties are individually authorized to engage in Aerial Photography and Survey as allowed under section 27-35-101 Miss Code 1972 Section 17-13-3 Miss Code 1972, allows the cooperative activity under section 27-35-113 Miss Code 1972

### III Duration

This agreement shall continue in force and effective from date of its approval until all work is complete and accepted by all parties but no longer than the current term of any Board of Supervisors which is a party hereto

### IV Purpose

The purpose of this agreement is to allow the participating counties to collectively bid for and receive services that are like in kind and required by statute that would otherwise be more costly or prohibitive to contract for separately Ultimately, the expressed purpose is to acquire Aerial Photography for Assessment purposes at a

substantially reduced cost to the Tax Payer. By acting in concert there is reason to believe the group will benefit from other Government bodies wanting access to the completed project.

#### **V Administration**

For the ease of administration, Blake Wallace, Executive Director of the Hinds County Economic Development Authority will co-ordinate bid processes and act as single point of contact for all Counties and potential vendors. Each County shall be responsible for approving its portion of any bids received and will be responsible for cost associated to the Initiative incurred for their county only. In the case any other Government Bodies provide assistance funding for project completion it will be up to that entity to describe the nature and distribution of funding.

#### **VI Financing**

It will be the responsibility of each County to arrange for contract and financing with the agreed upon vendor based on contract bid acceptance.

#### **VI Termination**

This agreement may be terminated as to any county at any time with the adoption of an Order by the county. In such an event the Agreement will have no further effect on that county from the effective date of the Order. The terminating county will resolve any contractual issues with the vendor independently. Dependent on the timing of termination other counties may have to re-bid or negotiate with the vendor(s).



### VII Bid for Services

There will be a final agreed upon bid for basic services. Said bid will be the basis for fees paid by participating counties. Base service will be but not limited to, Rectified Orthographic Photography to agreed specifications. Each county will individually contract for additional services as required by their jurisdiction.

### VIII Contracting

Each County will ultimately be responsible for the final contract and payment agreements with the approved vendor. This agreement does not bind any county for any other counties' obligations or debts.

### IX Additional Jurisdiction

Should any other county or other government body wish to join this agreement they may do so in writing, agreeing to all terms and conditions prior to final determination of bid.

Lloyd D. Ashmore  
Lloyd Ashmore, President  
Carroll County Board of Supervisors  
PO Box 60  
Carrollton, MS 38917

Date 06-24-13

ATTEST



Stanley S. Mullins  
Stanley S. Mullins  
Chancery Clerk

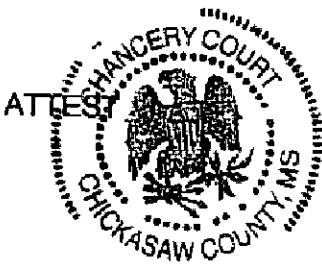
Date 06-24-13

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*Anderson McFarland*

Anderson McFarland, President  
Chickasaw County Board of Supervisors  
1 Pinson Square, Room 3 Courthouse  
Houston, MS 38851

Date June 25, 2013



*Wanda Sweeney, Chancery Clerk*  
Wanda Sweeney  
Chancery Clerk

Date June 25, 2013

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*Chris McIntire*

Chris McIntire, President  
Choctaw County Board of Supervisors  
P O Box 907  
Ackerman MS 39735

Date 06-14-2013

ATTEST

*Steve Montgomery*  
Steve Montgomery  
Chancery Clerk

Date 6/14/2013

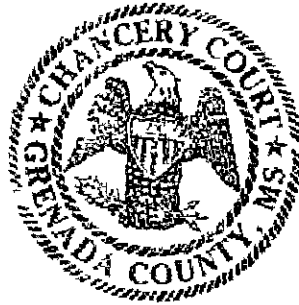
*Chad Bridges*

Chad Bridges, President  
Grenada County Board of Supervisors  
PO Box 1208  
Grenada MS 38902-1208

Date 6-3-13

ATTEST

*Johnny L. Hayward*  
\_\_\_\_\_  
Johnny L. Hayward  
Chancery Clerk



Date 6-3-13

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*[Handwritten Signature]*

Richards Stevens, President  
Humphreys County Board of Supervisors  
102 Castieman St  
Belzoni, MS 39308 39038

Date 06/07/13

ATTEST

*Lawrence D. Browder*

Lawrence Browder  
Chancery Clerk

Date June 7, 2013

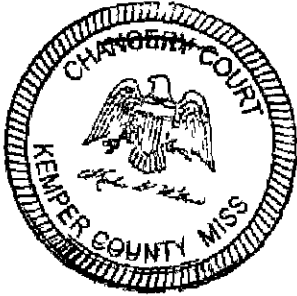


*Johnny B. Whitsett*

Johnny B. Whitsett, President  
Kemper County Board of Supervisors  
PO Box 188  
DeKalb, MS 39328

Date 07/01/13

ATTEST



*Shirlene D. Watkins*  
Shirlene Watkins  
Chancery Clerk

Date July 1, 2013

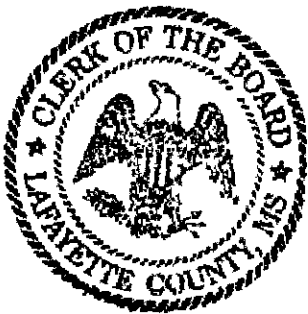
249

*Jeff Busby*

Jeff Busby, President  
Lafayette County Board of Supervisors  
300 N. Lamar Street, Suite 222  
Oxford, MS 38665

Date 6-18-13

ATTEST



*Sherry Wall*  
Sherry Wall  
Chancery Clerk

Date 6-18-13

250





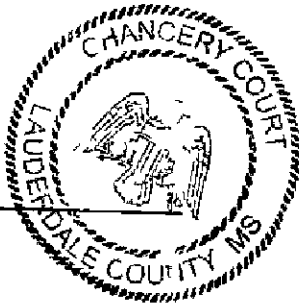
Hank Florey

Hank Florey, President  
Lauderdale County Board of Supervisors  
410 Constitution Avenue, 11th Floor  
Meridian, MS 39301

Date 6-17-2013

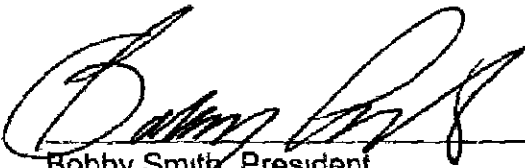
ATTEST

Carolyn Mooney  
Carolyn Mooney  
Chancery Clerk



Date 6-17-2013

251



Bobby Smith, President  
Lee County Board of Supervisors  
201 W Jefferson, Suite A  
Tupelo, MS 38804

Date 6/14/2013

ATTEST



Bill Benson  
Chancery Clerk

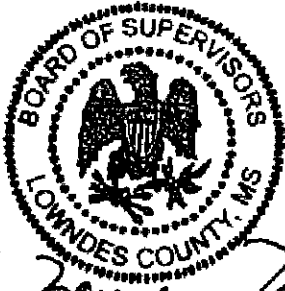
Date 6/14/2013

*Harry Sanders*

Harry Sanders, President  
Lowndes County Board of Supervisors  
PO Box 684  
Columbus, MS 39703

Date 6/14/13

ATTEST

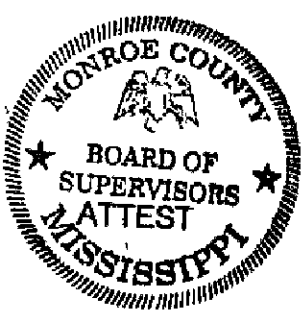


*Lisa Neese*  
Lisa Neese  
Chancery Clerk

Date 6/14/13

B. Kirkpatrick  
Billy Kirkpatrick, President  
Monroe County Board of Supervisors  
P O Box 578  
Aberdeen, MS 39730

Date June 3, 2013



R. Boozer  
Ronnie Boozer  
Chancery Clerk

Date June 3, 2013

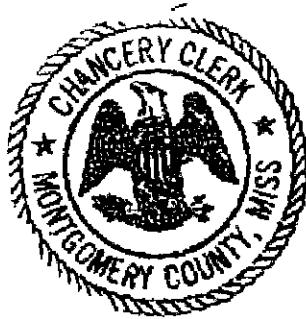
*Ron Wood*

Ron Wood, President  
Montgomery County Board of Supervisors  
P O Box 674  
Winona, MS 38967

Date May 31<sup>st</sup>, 2013

ATTEST

*Almadge Golding*  
Almadge Golding  
Chancery Clerk

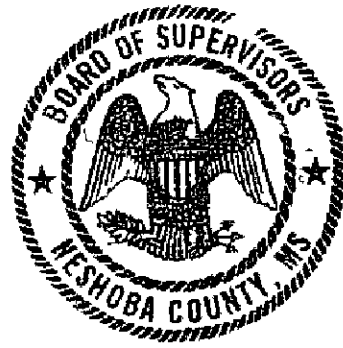


Date May 31<sup>st</sup>, 2013

255

*Keith Lillis*

Keith Lillis, President  
Neshoba County Board of Supervisors  
401 Beacon Street, Suite 201  
Philadelphia, MS 39350



Date 6/3/2013

ATTEST



*Guy Nowell*  
Guy Nowell  
Chancery Clerk

Date 6/3/2013

256

*William Oliver*

William Oliver, President  
Noxubee County Board of Supervisors  
505 South Jefferson Street  
Macon, MS 39341

Date 7/3/13


ATTEST

*Mary Shelton*

Mary Shelton  
Chancery Clerk

Date 7/3/13

257

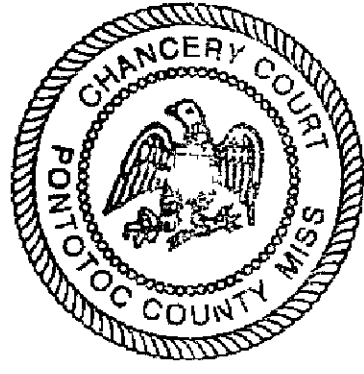
  
Wayne Stokes, President  
Pontotoc County Board of Supervisors  
PO Box 209  
Pontotoc Ms 38863

Date 10/14/13

ATTEST

  
Gary Moorman  
Chancery Clerk

Date 10/14/13



258

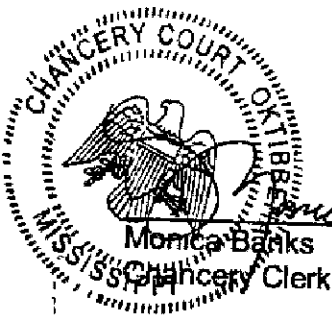


*Orlando Trainer*

Orlando Trainer, President  
Oktober County Board of Supervisors  
PO Box 80285  
Starkville, MS 39759

Date 6-3-2013

ATTEST



*Monica W Banks*  
Monica Banks  
Chancery Clerk

Date June 3, 2013

259

Johnny Goodwin  
Johnny Goodwin, President  
Tallahatchie County Board of Supervisors  
PO Box 350  
Charleston, MS 28921-0350

Date 6/3/13

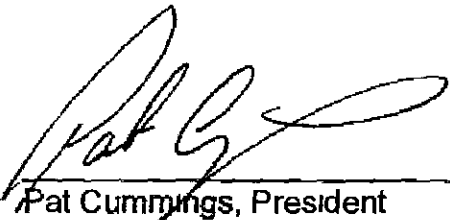
ATTEST



Anita M Greenwood  
Anita M Greenwood  
Chancery Clerk

Date 6/3/13

260



Pat Cummings, President  
Webster County Board of Supervisors  
PO BOX 417  
Walthall, MS 39771

Date 6-3-13

ATTEST



Russ Turner  
Chancery Clerk

Date 6-3-13

261

*Mike Peterson*

Mike Peterson, President  
Winston County Board of Supervisors  
PO Box 69  
Louisville, MS

Date 6-17-13

ATTEST



*Julie Cunningham*

Julie Cunningham  
Chancery Clerk

Date 6-17-13

262

**IN THE MATTER OF ACKNOWLEDGING AND GIVING NOTICE TO THE  
CHANCERY CLERK TO VOID THE SALE OF THE 2011 DELINQUENT TAXES ON  
PARCEL NO 038 09 0020300 DUE TO BANKRUPTCY**

---

There came on this day for consideration the matter of acknowledging and giving notice to the Chancery Clerk to void the sale of the 2011 delinquent taxes on parcel no 038 09 0020300 due to bankruptcy

It appears to this Board Amy Barr owner of parcel no 038 09 0020300 filed for Bankruptcy November 2011 and subsequently the 2011 delinquent taxes were sold inadvertently at the August 2012 sale, and,

It appears to this Board the taxes sold at the August 2012 sale for the 2011 taxes should be voided due to the bankruptcy status trumping the tax sale and that the Chancery Clerk should make a notation on the tax sale record

After motion by Luke Lummus and second by Lynn Horton this Board doth vote unanimously to authorize the Chancery Clerk to void the sale of the 2011 delinquent taxes at the August 2012 sale for parcel no 038 09 0020300, Amy Barr, due to the bankruptcy status which existed at the time of the said sale and, furthermore, authorizes the Chancery Clerk to make a notation on the tax sale record to show the said sale as voided

SO ORDERED this the 8<sup>th</sup> day of August, 2013

A handwritten signature in black ink, appearing to read "Shelton L. Horton", written over a horizontal line.

President

Option 5=Display

Position To \_\_\_\_\_ Receipt # \_\_\_\_\_

Sel	Landowner Name	State	ID	Number	CD	Dsc	Receipt #
-	BARR AMY	038	09	0020300	2010		484
-	BARR AMY	038	09	0020300	2011		478
-	BARTER DENNIS ET UX MERED	082D	115E	0330000	2011		498
-	BEARD IVORY C JR	089	26	0140000	2010		539
-	BEARD IVORY C JR	089	26	0140000	2011		532
-	BELK SADIE	043	19	0170100	2010		559
-	BELK SADIE	043	19	0170100	2011		552
-	BEST REAL PROPERTIES	082A	110B	0360000	2009		660
-	BEST REAL PROPERTIES	082A	110B	0360000	2010		665
-	BEST REAL PROPERTIES	082A	110B	0360000	2011		657
-	BINDER FRANCINE GIBSON	108	35	0030200	2010		703
-	BINDER FRANCINE GIBSON	108	35	0030200	2011		692

More

F3=Exit

11/2011 Bankruptcy -

**Section 5 05 Post-Petition Tax Sales, Generally** When property is sold for taxes after the debtor files his petition in bankruptcy, the situation is different. Here, the tax sale is void as a matter of federal law, and the sale is technically in violation of the Automatic Stay. Said another way, unless the county receives specific relief by the bankruptcy court from the Automatic Stay, once the taxpayer files a petition for relief in bankruptcy, 11 U.S.C. § 362(a) stays all actions to collect a pre-petition debt, all actions to obtain property of the estate or otherwise exercise control over property of the estate, and all actions to enforce liens against property of the estate or the debtor, including the "lien" imposed by a tax sale. Thus, a sale of the debtor's property at a tax sale after the filing of the bankruptcy petition is a violation of the Automatic Stay. See In re Pierce, 91 Fed. Appx. 927, 928-30 (5th Cir. 2004) (sale of property at tax sale 30 minutes after bankruptcy filing violated automatic stay).

**Section 5 06 What to do if a Post-Petition Tax Sale Occurs** Quite often, the Tax Collector does not receive notice of a debtor's bankruptcy filing prior to the tax sale. If this occurs and a sale takes place which is technically in violation of the Automatic Stay, the Chancery Clerk should spring into action. First, inquiry should be made of the Clerk of the local U.S. Bankruptcy Court as to the date of filing and the exact name or names of the filer. This way, a Clerk can confirm that the bankruptcy filing occurred before the tax sale and occurred as to property owned by the debtor (and not some other entity or person). If the Chancery Clerk confirms that a post-petition tax sale has occurred, then it is clear that the sale is void. If this fact is discovered prior to maturity, the matter should be brought before the Board of Supervisors and the sale declared void in light of the bankruptcy. A notation to that effect should be made on the tax sale record. This action should avoid a contempt citation or any other adverse consequence by the bankruptcy court being visited upon the Chancery Clerk or the county. Note that in bringing the matter to the Board, the Board is not taking some action to void the sale, rather, the sale is void anyway as a matter of federal law. The purpose served by bringing the matter to the Board of Supervisors is simply as a means of formally acknowledging and giving notice to the world that the bankruptcy trumped the tax sale and the sale is void.

**Section 5 07 A Word About Notice** The Automatic Stay is effective whether or not the county actually receives written notice from the bankruptcy court or the debtor concerning the filing of the bankruptcy petition. However, the Automatic Stay does not prevent Chancery Clerks from mailing, serving or publishing notices to owners or lienors regardless of when the bankruptcy petition is filed.

**Section 5 08 Beware Prior Attorney General's Opinions on this Subject are Erroneous** Prior to the *Isom* case cited above, the Mississippi Attorney General issued several opinions addressing the effects of bankruptcy on a tax sale. In those opinions, the Attorney General stated that if the petition for bankruptcy was filed after the property was sold for taxes, the statutory redemption period was automatically put on hold and was extended for the amount of time that the property owner was in bankruptcy. See OPINION TO LISA YOUNGER NEASE, Docket No. 2006-00258 (June 26, 2006) and OPINION TO WILLIAM H. AUSTIN, JR., 1993 WL 669092 (February 3, 1993). However, the *Isom* court held these views to be incorrect and ruled that a

NO \_\_\_\_\_

**IN THE MATTER OF APPROVING THE CLAIM TO COBURN INSURANCE FOR  
THE BONDS REQUIRED BY *MS CODE* FOR THE ECONOMIC DEVELOPMENT  
DISTRICT OFFICERS**

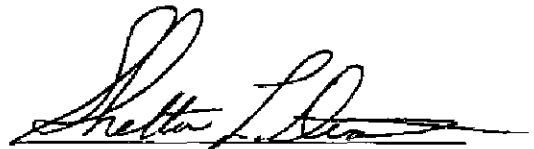
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There came on this day for consideration the matter of approving the claim to Coburn Insurance for the bonds required by MS Code for the Economic District Officers

It appears to this Board Miss Code requires the officers of the Economic District to have the officers bonded and the cost of the said \$50,000 bond for the three (3) officers is \$525 00 as evidenced by the invoice as attached hereto as Exhibit A

After motion by Luke Lummus and second by Floyd McKee this Board doth vote unanimously to authorize the payment of claim to Coburn Insurance for the bonds purchased for the EDD officers

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President



**COBURN INS AGENCY INC**

P O Box 122 (123 Jordan Ave)  
WEST POINT MISSISSIPPI 39773

DATE 7-26-2015

(601) 494-2071

*CC, Economic Development Dist  
To Clay County Board of Supervisors  
Court St, West Point, MS*

TERMS

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

\$ 525.00

DATE	INVOICE NUMBER	DESCRIPTION	CHARGES	CREDITS	BALANCE
------	----------------	-------------	---------	---------	---------

BALANCE FORWARD 

7-18-13	To 7-18-14	CC, E.D.R Position Bond President, V President 2015 PCS 50000 <sup>00</sup> cash	525.00		
					25.00

267

Thank You

  
PAY LAST AMOUNT  
IN THIS COLUMN

# CNA SURETY

CNA SURETY  
PO Box 802875  
CHICAGO, IL 60680-2875

## Transaction Report & Invoice

**Principal Information** ID 012142924  
CLAY COUNTY ECONOMIC DEVELOPMENT DISTRICT  
P O BOX 815  
WEST POINT, MS 39773

Agency Code 23-00826

COBURN INSURANCE AGENCY INC  
P O BOX 122  
WEST POINT MS 39773-0122

### YOU CAN PAY ONLINE BY VISITING ONLINEPAY CNASURETY COM

<b>Transaction Description</b> NEW		<b>Transaction Effective Date</b> 07/18/2013													
<b>Bond/Policy #</b> 71440030		<b>FILE LOCATION</b>	SIoux FALLS												
<b>Written By</b>	WESTERN SURETY COMPANY	<b>PHONE</b>	800-331-6053												
<b>Description</b>	P E POSITION SCHEDULE (3)														
<b>Obligee</b>	OBLIGEE ADDRESS UNKNOWN														
<b>Effective Date</b>	07-18-2013	<table border="1"> <tr> <td>PREMIUM</td> <td>\$525 00</td> <td>2 30 0007</td> </tr> <tr> <td><b>Gross Premium Charge</b></td> <td>\$525 00</td> <td></td> </tr> <tr> <td><b>Commission Amount</b></td> <td>\$157 50</td> <td></td> </tr> <tr> <td><b>Net Amount Due</b></td> <td>\$367 50</td> <td></td> </tr> </table>		PREMIUM	\$525 00	2 30 0007	<b>Gross Premium Charge</b>	\$525 00		<b>Commission Amount</b>	\$157 50		<b>Net Amount Due</b>	\$367 50	
PREMIUM	\$525 00			2 30 0007											
<b>Gross Premium Charge</b>	\$525 00														
<b>Commission Amount</b>	\$157 50														
<b>Net Amount Due</b>	\$367 50														
<b>Expiration Date</b>	07-18-2014														
<b>Current Penalty</b>	\$150,000 00														
<b>Renewal Method</b>															

### Change Detail

Agent You may remove stub below to use as a billing/ credit invoice

### CNA Surety

### INVOICE

CO #	BOND/POLICY#	EFFECTIVE DATE	ANNIVERSARY DATE	PROCESS DATE	PENALTY
0601	71440030	07-18-13	07-18-14	07-19-13	\$150,000 00
PRINCIPAL	CLAY COUNTY ECONOMIC DEVELOPMENT DISTRICT P O BOX 815 WEST POINT, MS 39773				
RISK STATE	MS	WRITTEN BY	WESTERN SURETY COMPANY		SF
DESCRIPTION	P E POSITION SCHEDULE (3)				
<b>268</b>					
OBLIGEE					
AGENCY CODE	23-00826	CHARGE	\$525 00		

You agent is

COBURN INSURANCE AGENCY INC  
P O BOX 122  
WEST POINT MS 39773-0122

NO \_\_\_\_\_

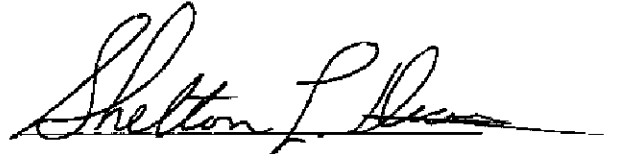
**IN THE MATTER OF GOING INTO CLOSED SESSION**

---

There came on this day for consideration the matter of going into closed session

After motion by Luke Lummus and second by Floyd McKee this Board doth vote unanimously to go into closed session

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

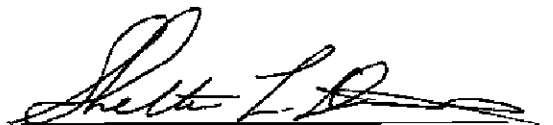
**IN THE MATTER OF GOING FROM CLOSED SESSION INTO EXECUTIVE  
SESSION TO DISCUSS A PERSONNEL ISSUE AND POTENTIAL LITIGATION AS  
ALLOWED UNDER MISS CODE SECTION 25-41-7 (4) (a) and (b)**

---

There came on this day for consideration the matter of going from closed session into executive session to discuss a personnel issue and potential litigation as allowed under Miss Code Section 25-41-7 (4) (a) and (b)

After motion by Floyd McKee and second by Lynn Horton this Board doth vote unanimously to go from closed session into executive session

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

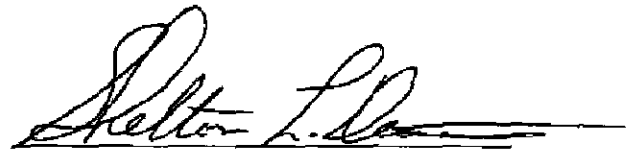
NO \_\_\_\_\_

**IN THE MATTER OF COMING OUT OF EXECUTIVE SESSION**

---

There came on this day for consideration the matter of coming out of executive session  
After motion by Luke Lummus and second by Floyd McKee this Board doth vote  
unanimously to come out of executive session

SO ORDERED this the 8<sup>th</sup> day of August, 2013

A handwritten signature in black ink, appearing to read "Shelton L. Lummus", written over a horizontal line.

President

**IN THE MATTER OF AMENDING THE JAIL BUDGET TO AUTHRORIZE THE  
PURCHASE OF CAMERA EQUIPMENT TO BE INSTALLED AROUND THE  
EXTERIOR PERIMETER OF THE JAIL BUILDING**

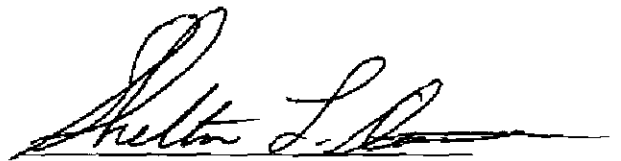
---

There came on this day for consideration the matter of amending the Jail Budget to authorize the purchase of camera equipment to be installed around the exterior perimeter of the jail building

It appears to this Board the Sheriff is requesting this Board's approval to purchase exterior camera equipment for the Jail Building and the cost of the camera equipment being \$ 4,199.<sup>00</sup> to be purchased from Keith Hall and the Sheriff having asked a local person by the name of Keith Hall to install the equipment for labor charge of \$ 4,199.<sup>00</sup> both quotes as being attached hereto as Exhibit A

After motion by Luke Lummus and second by Floyd McKee this Board doth vote unanimously to amend the Jail budget to reflect the purchase of the said camera equipment and to labor to install the equipment

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

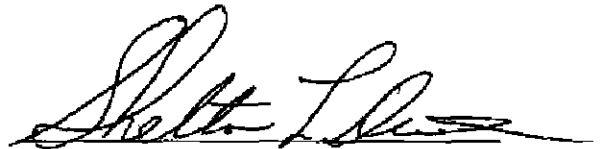
**IN THE MATTER OF AUTHORIZING THE GOLDEN TRIANGLE PLANNING AND DEVELOPMENT TO ADMINISTER A GRANT FOR DISTRICT FIVE (5) WITH THE MS DEPARTMENT OF ARCHIVES AND HISTORY TO FINISH THE RENOVATION OF THE 2<sup>ND</sup> FLOOR OF THE PHEBA AGRICULTURAL HIGH SCHOOL BUILDING**

---

There came on this day for consideration the matter of authorizing the Golden Triangle Planning and Development to administer a grant for District five (5) with the MS Department of Archives and History to finish the renovation of the 2<sup>nd</sup> floor of the Pheba Agricultural High School Building

After motion by Floyd McKee and second by Lynn Horton this Board doth vote unanimously to authorize to use the Golden Triangle Planning and Development to administer a grant for District Five (5) with the MS Department of Archives and History to finish the 2<sup>nd</sup> floor renovation of the Pheba Agricultural High School

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

NO \_\_\_\_\_

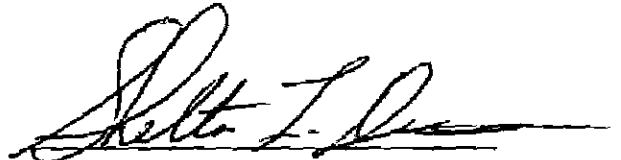
**IN THE MATTER OF AUTHORIZING THE GOLDEN TRIANGLE PLANNING AND  
DEVELOPMENT TO COMPLETE A GRANT APPLICATION WITH THE MS  
DEPARTMENT OF ARCHIVES AND HISTORY TO COMPLETE THE 2<sup>ND</sup> FLOOR  
RENOVATION OF THE PHEBA AGRICULTURAL HIGH SCHOOL BUILDING**

---

There came on this day the matter of authorizing the Golden Triangle Planning and Development to complete a grant application with the MS Department of Archives and History to complete the 2<sup>nd</sup> floor of the Pheba Agricultural High School Building

After motion by Floyd McKee and second by Lynn Horton this Board doth vote unanimously to authorize the Golden Triangle Planning and Development to complete the said grant application on behalf of the County

SO ORDERED this the 8<sup>th</sup> day of August, 2013



President

After motion by Luke Lummus and second by Lynn Horton this Board doth vote unanimously to recess until August 14, 2013, at 9 00 a m



President

